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SPEECH

OF

HON. J. R. THOMSON,

OF NEW JERSEY,

ON THE

CONQUEST OF CALIFORNIA;

DELIVERED IN THE

UNITED STATES SENATE, AUGUST 9, 1856.

WASHINGTON :
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1856.



S P E E C H .

The following resolution being under consideration—

Resolved, That the President of the United States be requested to furnish the Senate with copies of the despatches from Commodore Stockton in 1846, forwarded by Mr. Christopher Carson, giving an account of his operations in California; also, if in possession of the government, any despatch or history from Messrs. W. B. Ide, John Grigsby, and Samuel Nash, relative to the declaration of independence, or the hoisting of the Bear flag in California, previously to the arrival of Commodore Sloat on that station—

Mr. THOMSON addressed the Senate as follows :

Mr. PRESIDENT: I had the honor to submit, a few days ago, to the Senate, a resolution asking for copies of the despatches which Commodore Stockton forwarded from California to the government in 1846, by Mr. Christopher Carson; and for a copy of a report or history of the origin and completion of the revolution in California, signed by Wm. B. Ide, John Grigsby, and John H. Nash.

These documents, I think, would throw light upon a subject which, from various causes, has been much misunderstood by the people generally, and I hope it may be in the power of the proper departments to furnish the information which has been asked for.

These documents relate, sir, to the early history of the revolutionary and military movements of the American settlers, and to the operations of the United States naval forces under Commodores Sloat and Stockton in California.

Mr. Fremont has frequently been termed the conqueror of California. Resolutions, adopted by political meetings, have repeated the assertion, until many intelligent persons sincerely entertain the opinion that such is the fact. The title to the 164th chapter of Mr. Benton's "Thirty Years' View" is, Fremont's Third Expedition *and Acquisition of California*. In the Biography of Mr. Fremont, recently published, the same claim is also preferred. And it has been adopted as true by the compiler of a book of historical incidents of American history, published in Boston by John Philbrick, 1856. But, Mr. President, as a citizen of New Jersey, I feel called upon to dispute this claim in favor of Mr. Fremont, and to assert it for one of the most distinguished sons of that State, my constituent and friend, and predecessor in this honorable body, Commodore Stockton.

In the examination which I now propose to make in reference to this claim in behalf of Fremont, it will be perceived, I think, that many persons (even of the highest official rank, and with the best means of obtaining correct information) have been led into error on this subject. The artful manner in which the acts of Mr. Fremont have been exhibited, and the prominence given to him, to the exclu-

sion of all others, in the narratives of events in California, published in advance of official documents, induced their belief that he was the chief actor in all the movements and battles which preceded the acquisition of that country.

The same impression was, no doubt, made upon the mind of many who read the message of the President of the United States in 1846, and the report of the Secretary of War of the same year.

The language of the President alluded to, indeed, was probably furnished by Mr. Benton. The President says: "Our squadron in the Pacific, with the co-operation of a gallant officer in that distant country, have acquired bloodless possession of California."

The reason why I impute to Mr. Benton the authorship of this paragraph in the President's message is, first, because, in his "Thirty Years' History," he makes the claim for Fremont of the acquisition of California; and because, in the 165th chapter of that work, he says that the President's message was submitted to him before being sent to Congress, and was by him modified and altered.

The President of the United States could have had no motive whatever to exalt Fremont at the expense of Stockton; but Mr. Benton's relations to Colonel Fremont were such as would naturally induce him to claim for the latter an undue share of merit. Accordingly, Stockton is ignored—"our squadron" substituted for him. His name is not mentioned, and the co-operation "of a gallant officer" made prominent.

Not content with inducing the insertion in the President's message of the paragraph referred to, there is intrinsic evidence that Mr. Benton furnished to the Secretary of War those portions of his report which are now cited by Fremont's admirers to prove him a conqueror. On page 173 and 174 of Niles's Register, vol. 71, will be found a letter of Mr. Benton's to the President of the United States, dated November 9, 1846, in which he states the movements of the American settlers who had declared the independence of California, and also Mr. Fremont's participation with them. *All his facts are obtained from Fremont himself*, whose letter reciting them appears in the same volume of Niles's Register, page 191, and from letters addressed to Mrs. Fremont by her husband from California.

I have prepared extracts from these letters, with which I will not detain the Senate, but ask that they may be printed with these remarks.

Mr. Benton, in the letter referred to, to the President of the United States, dated November 9, 1846, to be found in Niles's Register, vol. 71, p. 173, states that—

"After the most anxious deliberation upon all the dangers of his position, and upon all the responsibilities of his conduct, Captain Fremont determined to turn upon his pursuers and fight them instantly, without regard to numbers, and seek safety for his party and the American settlers by overturning the Mexican government in California. It was on the 6th day of June that he came to this determination; and the resolution being once taken, all half-way measures were discarded, and a rapid execution of the plan was commenced. On the 11th of June a supply of two hundred horses for Castro's troops, on the way to his camp, conducted by an officer and fourteen men, were surprised at daylight, and the whole captured: the men and officers being released, and the horses retained for American use. On the 15th, at daybreak, the military post at Sonora (the point of rendezvous and intended headquarters) was surprised and taken, with nine pieces of brass

cannon, two hundred and fifty stand of muskets, other arms and ammunition, with several superior officers, General Vallijo, (Val-ya-ho,) his brother, Captain Vallijo, Colonel Greuxdon, and others, all of whom were detained and confined as prisoners. Captain Fremont then repaired to the American settlements on the Rio de los Americanos to obtain assistance; and receiving an express from his little garrison of fourteen in Sonora that General Castro was preparing to cross the bay of San Francisco and attack them with a large force, he set out in the afternoon of the 23d of June with ninety mounted riflemen, and, travelling day and night, arrived at two o'clock in the morning of the 25th at Sonora, eighty miles' distance. The vanguard of Castro's forces had crossed the bay—a squadron of seventy dragoons, commanded by De la Torre, which was attacked and defeated by twenty Americans, with a loss of two killed and some wounded on the part of the Mexicans, and no injury to themselves, De la Torre barely escaping with the loss of his transport boats and spiking six pieces of artillery.

"The north side of the bay of San Francisco was now cleared of the enemy; and on the 4th of July Capt. Fremont called the Americans together at Sonoma, addressed them upon the dangers of their situation, and recommended a declaration of independence, and war upon Castro and his troops, as the only means of safety. The independence was immediately declared and war proclaimed. A few days afterwards an officer from Commodore Sloat brought intelligence that the American flag was hoisted at Monterey—an example which was immediately followed wherever the news flew. The pursuit and defeat of Castro were the only remaining enterprise. He had fled south towards the numerous Mexican settlements beyond Monterey, with his four or five hundred men; and Captain Fremont, leaving some fifty men in garrison, set out with one hundred and sixty mounted riflemen in the pursuit, when he received instructions from Commodore Sloat to march upon Monterey. He did so, and found Commodore Stockton in command, approving the pursuit of Castro, and aiding by all means in his power. The sloop-of-war Cyane was put at his service," &c.

In these letters it will be found that Fremont recites various successful military actions. *He does not say that he participated in them,* but states them in such a way as to leave the inference irresistible that he did so. Mr. Benton and Mr. Marcy both take such for granted, and so, indeed, would any one on reading the artful connexion in which they are stated. Besides, there are no documents on file in the department from which the Secretary could have made up the statement in his report, except the letters of Colonel Benton and Mr. Fremont.

The Secretary in his report states no more and no less than is contained in those letters, and sets forth the facts in the order precisely as stated in them.

These facts relate to the time when Fremont joined the movement of the American settlers in favor of independence, to two actions in which the Californians were defeated, and the taking of Sonoma. The Secretary relates these events so as to produce the impression (no doubt made on his own mind) that Fremont was among the first to countenance the independent movement; that he took part in the defeat of the Mexicans and the capture of Sonoma.

But we have, however, positive proof showing that Fremont had *nothing* to do with these several events.

In Niles's Register, vol. 73, pp. 110 and 111, will be found a history of the movements of the American settlers in May, June, and July, 1846, prior to Commodores Sloat and Stockton's arrival in California. This history was compiled and published by the settlers themselves, and signed with the names of the leaders, W. B. Ide, John Grigsby, and John H. Nash. But the credit which belongs to these adventurous and enterprising Americans for their gallant deeds has been appropriated to Fremont, without any acknowledgment what-

ever ; nor are their names even to be found in any of the private letters or despatches to government which have yet been published.

I ask to print the extracts which I have made from this history with my remarks :

" Information was received by Mr. W. B. Ide, living on the Sacramento, on the 8th of June, by letter, brought by an Indian runner, that 200 mounted Mexicans were on their march up the Sacramento river, with the design of destroying the crops, burning the houses, and driving off the cattle belonging to the foreigners. Mr. Ide immediately visited the settlements on the Sacramento, and finding most of the men of the valley with Captain Fremont, repaired to his camp. He then conversed with Captain Fremont on the subject of the revolution, who advised immediate organization and resistance on the part of the foreigners, but declined any action on his part, or that of the men under his command. Captain Fremont then informed him that he then expected to leave for the States in two weeks. In the meantime, a party of Americans had gone in pursuit of some Mexicans who were collecting horses, had taken them prisoners, and secured 200 of their animals, which were to have been mounted by Mexican soldiers, and employed in expelling the foreigners, as well as Captain Fremont, from the country. It was quite apparent that further and more decisive action was necessary to secure the lives and property of the immigrants ; and it was determined to seize the fort of Sonoma, where many of the government officers were quartered and munitions of war were stored. A party was raised, and upon the 14th of June arrived at and seized Sonoma by surprise, and without resistance, and directly thereafter Wm. B. Ide was elected commander of the party. Dr. Semple immediately called a meeting, with the view of taking some action for forming a provincial government. The prisoners were sent to the Sacramento, and placed under the protection of Captain Fremont, and the property of the fort secured, and a garrison established for its further protection.

" Measures were adopted in reference to foreign importations ; Horace Saunders was appointed commissary. A national flag was agreed upon. ' Captain Ide was made captain-general.' Measures were taken to secure public and private property.' 'The general-in-chief on the 16th despatched Mr. Todd on a mission to Captain Montgomery, of the United States ship Portsmouth, for the purpose of obtaining a quantity of gunpowder. He declined furnishing it, on the ground that, so far as he knew, the United States were at peace with the Mexican government,' &c., &c.

" On the 21st, Captain Grigsby returned from the Sacramento valley, and was elected captain of the 1st company of riflemen, and the fort placed under his command. Lieutenant L. H. Ford was despatched in pursuit of a company of Mexicans, and found them ; they proved to be two hundred in number ; gave them a fight, killed eight, and wounded thirteen, after which they fled. This victory gave a decided character to the revolution, and convinced the Spaniards that it was not prudent to attempt the capture of any more prisoners.

" The 25th of June, Captain Fremont and the men under his command arrived at Sonoma, and were received with joy by the garrison, which was composed of about one hundred men, exclusive of Captain Fremont's command, and of some twenty who were absent on other duty. In the meantime, as report said, General Castro was busy in crossing men from the other side of the bay to San Solito. Captain Fremont invited Lieutenant Ford to accompany him, with the same men he had commanded in the engagement before spoken of, in an expedition against Jose Castro. Three or four days were spent in endeavoring to bring the Mexicans to an engagement, but without success. Castro had succeeded in landing about two hundred men on the north side of the bay, and finding the ground untenable, was desirous of diverting Captain Fremont from his object of pursuit, while his men might re-embark. He accordingly sent three men, with papers calculated to deceive Captain Fremont into the idea that Sonoma was, on a certain time, to be attacked by a large force, and ordered them to discover themselves to his command. The stratagem had the desired effect, although the spies lost their lives. Captain Fremont repaired to Sonoma with all possible despatch, where he arrived at the early dawn of day, and was pleased to find his friends still in the possession of the post, and at the guns with lighted matches in their hands."

" At a meeting called to order by General Ide, Colonel Fremont said he would make a proposition to the men then before him that, although he could not and would not intermeddle in the internal affairs of California, yet, if the men present would pledge themselves to abstain from all acts of violence against peaceful families, and to obey

all orders of officers of their own choice in their endeavors to effect the declared purposes of the revolution, he would not only assist them by his advice, but that he would volunteer his whole force against Castro, and that he would stand by them, at least until Castro shall have been subdued."

From this history, related in a plain and simple manner, and bearing every evidence of truthfulness, it appears that whilst these important events were transpiring, Mr. Fremont was quietly reposing in his camp on the bank of the Sacramento, and that he did not unite with the American settlers, or render them any assistance, until after they had apparently succeeded in maintaining themselves.

Mr. Benton, and Mr. Marcy after him, represent that on the 6th of June Fremont formed the determination to commence offensive measures. Messrs. Ide, Grigsby, and Nash say that on the 8th of June, two days after this, Mr. Ide repaired to Fremont's camp on the Sacramento, and "conversed with him" on the subject of the revolution, and Capt. Fremont "advised immediate organization and resistance on the part of the foreigners, but declined any action on his part, or that of his men." "Capt. Fremont informed him that he then expected to leave for the States in two weeks." Colonel Benton, in his letter to the President, states, as a consequence of "this commencement of offensive measures on the part of Fremont," the capture of a party with 200 horses, and the surprise and capture of Sonoma, so as to produce the impression that Fremont directed and took part in these actions. Such, however, was not the fact. Both of these affairs took place through the agency of the settlers, without his presence or assistance. Again, on the 21st, Lieutenant Ford, at the head of a company of seventy American emigrants, met and defeated two hundred Mexicans. This exploit is also appropriated in the same way by Col. Benton and Mr. Marcy to Mr. Fremont. And it was not until after this, when victory gave a decided character to the revolution, "that Fremont participated in the designs of the emigrants." On the 25th of June, the history states, "Captain Fremont and the men under his command arrived at Sonoma, (Sonoma was taken by the settlers on the 14th,) and were received with joy by the garrison." The remark that they "were received with joy," if nothing else does, shows that Fremont had not acted previously with them, or else there would have been no occasion for such an expression. But Fremont now took the field against Castro, and invited Lieutenant Ford with his command to join him. The history states, "three or four days were spent in endeavoring to bring the Mexicans to an engagement, but without success. Castro was desirous of diverting Captain Fremont. He accordingly sent three men with papers calculated to deceive him into the idea that Sonoma was to be attacked. The stratagem had the desired effect. Fremont set off for Sonoma, and left Castro to retreat in safety. Of course, he found Sonoma unmolested. But Mr. Benton seizes the opportunity to eulogize the wonderful performance of Fremont, in making this false movement, and travelling eighty miles in less than twenty-four hours." "Captain Fremont," continues the history, "and his men, returned in pursuit of Castro, and arrived at the bay just in time to see that the last of Castro's men

had re-embarked with all their baggage." This trip to Sonoma is one of Mr. Fremont's "exploits."

The history further shows that the flag of independence was raised in the middle of June by the American emigrants, without the aid, presence, or co-operation of Fremont. Yet Fremont, in his letter to Col. Benton, July 25, 1846, claims to have prompted the declaration of independence on the 4th of July. The "history" states that the national or Bear flag, with the words "California republic" on it, was raised in the middle of June, and before Fremont joined them; and that a provisional government had been organized, and William B. Ide elected captain-general.

Fremont says *he* assembled the people on the 4th of July, and addressed them, and advised a declaration of independence. The history states that the 4th of July was celebrated at Sonoma by reading the Declaration of Independence of the Thirteen States, firing cannon, &c. But on the 6th the companies (of volunteer settlers) were formed and marched into the large hall. The men were called to order by Gen. Ide. There were one hundred and eighty men present, exclusive of Capt. F.'s command, of about forty men. Captain Fremont addressed the assembly, and promised to aid them with his advice, and to co-operate with them if they would pledge themselves to obey "the officers of their own choice." Gen. Ide replied, and said "there was not a man present who had not *already* volunteered his life, his property, and his reputation in an honorable support of the revolution;" showing clearly that the revolution had already begun, and that it had not been *then* first commenced by Mr. Fremont, *as is claimed* for him by himself and his biographers.

This history does not show that the "chief direction of affairs" was given to Mr. Fremont, as is claimed for him; but, on the contrary, Gen. Ide was chief of the movement, and captain general; and by him, "under a discharge of cannon, with appropriate ceremonies," was the flag of the republic of California first raised, and by him, also, was the proclamation of independence signed and issued. The overtures for assistance by the American settlers having been repulsed by Fremont early in June, when they were commencing hostilities, they never thought of investing him with the leadership after their measures had been crowned with success; and, without evidence to the contrary, such a proceeding would have been extremely improbable. But in the face of these express statements, that Gen. Ide, and not Fremont, was their leader, Mr. Fremont's claim made in his letter to Col. Benton the 25th of July, 1846, must be considered entirely without foundation.

In his Thirty Years' View, Mr. Benton states that "Fremont determined to put himself at the head of the people and to save the country. To repulse Castro was not sufficient—to overturn the Mexican government in California, and to establish Californian independence was the bold resolve, and the only measure adequate to the exigency."

Messrs. Ide, Grigsby, and Nash, on the other hand, say that Fremont, in the address to the settlers, before referred to, on the 6th of July, declared that he had determined to pursue and take Irre Castro,

whom he considered but a usurper in California, being unauthorized by the Mexican government. He said "*that although he could not, and would not, intermeddle in the internal affairs of California,*" he would, on certain conditions, "not only assist them with his advice, but that he would volunteer his whole force against Castro, and that he would stand by them, at least *until Castro shall have been subdued.*"

How different is this plain statement of the leaders of the revolutionary party from that of Mr. Benton! In it you find nothing of "Mr. Fremont placing himself at the head of the people to save the country"—of overturning the Mexican government in California, as the repulse of Castro was not sufficient—and to establish independence. The "bold resolve" of Mr. Fremont seemed to be unknown to those with whom he was about to co-operate. His engagement with them was for a limited and specific service, and for a single object, and that was the pursuit and capture of Castro, in which he was signally unsuccessful. So far from engaging to overthrow the Mexican government in California and to establish independence, he expressly states that "he cannot, and will not, intermeddle with the internal affairs of California;" and yet the claim is boldly made for him by his father-in-law, of having overthrown the Mexican government and established independence, for he adds, after the "bold resolve" was taken, it was executed with a celerity that gave it a romantic success."

Nor is more dependence to be placed in the statements of Mr. Benton with reference to the operations of our naval forces than in those of the settlers which I have just examined.

On the 10th of July intelligence was received by Mr. Fremont, then at St. John's, that Commodore Sloat had arrived and taken possession of Monterey, and planted the United States flag there. And thither he marched, and arrived on the 19th of July, sixteen days after its capture. It would thus appear, then, that in the movements previously to the operations of Commodores Sloat and Stockton in California, Mr. Fremont's part was extremely insignificant. He was in no action whatever. *He does not, indeed, state that he was.* He recites actions which were performed by others, and left his father-in-law to claim for him the credit which belonged to others for their performance. He declined to join the settlers early in June, when his co-operation would have been of service to them. But after they had gained important advantages over the Californians, and were in possession of the strong fort of Sonoma, and when he was in daily expectation of receiving intelligence of war between the United States and Mexico, he volunteered his assistance.

Mr. Benton, as well as Mr. Fremont's biographer, however, claim that Fremont's "exploits" induced Commodore Sloat to seize Monterey, and raise the American flag; and, therefore, they say that the acquisition of California was owing to Fremont; for, if Sloat had not raised the United States flag on the 7th of July, 1846, the British admiral, who arrived soon after, would have seized California for Great Britain.

Mr. Benton, in his "View," chapter 164, states that "Commodore Sloat remained five days before the town, and until he heard of Fremont's operations; then, believing that Fremont had orders from his

government to take California—he having none himself—he determined to act himself. He received the news of Fremont's *successes* on the 6th of July; on the 7th he took the town of Monterey, and sent a despatch to Fremont. The latter came to him in all speed, at the head of his mounted force. Going immediately on board the Commodore's vessel, an explanation took place. The Commodore learnt with astonishment that Fremont had no orders from his government to commence hostilities—that he had acted entirely on his own responsibility. This left the Commodore without authority for having taken Monterey; for still *at this time the commencement of the war with Mexico was unknown.*

But this statement of Mr. Benton is most pointedly and positively contradicted by Commodore Sloat, in his official letter to the Secretary of the Navy, dated "Flag-ship *Levant*, at sea, July 31, 1846." In it he says: "I have the honor to report that on the *seventh June* I received at Mazatlan information that the Mexican troops, six or seven thousand strong, had, by order of the Mexican government, invaded the territory of the United States north of the Rio Grande, and had attacked the forces under General Taylor, and that the squadron of the United States were blockading the coast of Mexico in the Gulf. *These hostilities I considered would justify my commencing offensive operations on the west coast!* I therefore sailed on the 8th, in the *Savannah*, for the coast of California, to carry out the orders of the department of the 24th of June, 1845."

The Commodore then states that he took possession of Monterey on the 7th day of July, in the name of the United States.

It does not appear from the Commodore's letter that he had sent any orders or despatches to Fremont, as stated by Mr. Benton, or that he had ever heard anything about him. The only notice he takes of him in his letter is, that Purser Fauntleroy, who had been sent by him to take St. John, a small town in the interior, stumbled upon him there, "found that it had been taken possession of an hour or two previous to his arrival by him," "with whom he returned to Monterey on the 19th," twelve days after its capture. This is all the notice taken of Fremont in this official letter.

So far, then, from its being true that the Commodore was induced by Fremont's operations to take possession of Monterey, he had resolved on the *7th day of June*, at Mazatlan, to sail for California, and commence offensive operations on the west coast. Fremont certainly had performed no exploits up to this time which could influence the Commodore's action; for on the 8th day of June he refused to co-operate with General Ide and others in revolutionizing California, and did not take any part with them until the 25th of June, after the surprise of Sonoma, the brilliant performance of Lient. Ford, and the capture of a party with two hundred horses, had all been achieved.

And, then, there is no evidence whatever that the British admiral ever intended or had any instructions which would have authorized him to seize California. It is mere imagination.

Mr. Benton, I must repeat, says it was hearing of Fremont's operations and successes, and believing that he had orders from his government to take California, that induced Commodore Sloat to take pos-

session of Monterey; for still at this time (7th of July) *the commencement of the war with Mexico was unknown*. "But Commodore Sloat says that it was *because* he had received information of *the existence of war between the United States and Mexico*, and THAT, he considered, would justify him commencing *offensive operations* on the west coast, and therefore sailed in the Savannah for the coast of California to carry out the orders of the department! Now, Mr. President, what were these orders? They were, sir, that, "in the event of war with Mexico, he was directed to employ the force under his command to the best advantage." The Mexican ports on the Pacific are said to be (says the Secretary of the Navy) open and defenceless. If you ascertain with certainty that Mexico has declared war against the United States, you will at once possess yourself of the port of San Francisco, and blockade or occupy such other ports as your force may permit.

Such, sir, were the instructions which he sailed from Mazatlan on the 8th of June to execute, and yet Mr. Benton, in his "View," states it was the operations of Fremont (Heaven save the mark!) which led him to commence hostilities in California, and save the territory from the grasp of Great Britain.

Mr. Benton, in this statement, does great injustice to this gallant officer in charging that he had commenced hostilities against a nation upon no other ground than that, hearing of the operation and successes of Fremont he *supposed* him to be in possession of orders from his government to take California. I admit, sir, it would be difficult, if not impossible, for one in his position, or in any position, to believe that an officer of the army of the United States would wage war with the forces under his command against an independent nation *without* orders from his government. And the Commodore might well be pardoned for supposing such to be the case. But I have already shown from his official letters that it was not true that he did so. But it, no doubt, confirmed in his mind the truth of the information he had received at Mazatlan of the commencement of hostilities. But, sir, the statement of Mr. Benton in reference to this matter places Mr. Fremont in a most unfortunate position. It exhibits him, sir, in the character of a fillibuster, of a person, without authority, making war upon a friendly power, and employing the forces placed under his command (for a different purpose) to overthrow its government, and establish a republic on its ruins. It was, indeed, sir, the assumption of a fearful responsibility, and one which might have involved his country in war, or have lost his own life, with the lives of all his followers, (as was the case with Lopez in his expedition,) if he had been unsuccessful in his operations. But, sir, I do not propose to discuss this question, but in passing merely to remark upon it.

I think that I have now fully shown that Mr. Fremont's claims to the conquest previously to the 19th of July rest entirely upon the assertions of his father-in-law, and as they appear in Secretary Marcy's report of December, 1846.

In thus stating the intervention of Mr. Benton in claiming for Fremont credit for exploits to which he was not entitled, I expressly disclaim any desire to impute to him anything further than a pardonable facility in yielding credence, on grounds entirely insufficient, to state-

ments and inferences calculated to do honor to one connected with him by close family ties. The truth of history, however, requires vindication, and my duty is to expose the errors into which he has been betrayed, and in which, through his agency, others have participated.

And now, Mr. President, I propose briefly to examine the claims of Fremont to the merit of a conqueror *subsequently* to July 19, 1846. That he had no claim before has already been shown.

On the 23d July, 1846, Commodore Stockton took command of the squadron, Commodore Sloat having sailed for the United States. Monterey, Sonoma, at the head of the bay of San Francisco, and Yerba Buena, now called San Francisco, were the chief points in the possession of the United States forces. But all southern California was in arms, and unsubdued. Mr. Fremont was then at Monterey.

Commodore Stockton issued his proclamation on the same day, and announced his intention to conquer the country. Colonel Fremont, in his defence on his trial by court-martial in 1848, thus states his own position at this time, and gives the title of CONQUEROR to another. (See proceedings of court-martial, pp. 374 and 375 :)

"He (Commodore Stockton) determined to prosecute hostilities to the full conquest of the country, and asked not co-operation, but service under him. He made this proposal in writing to Lieut. Gillespie and myself. We agreed to it, and so did our men.

"I went under him with pleasure. I was glad to be relieved from the responsibilities of my position. We went under the command of the naval commander on that station, and it was to the naval commander *there* that the President had specially assigned the conquest of California. The California battalion of mounted riflemen was then organized, Commodore Stockton appointing all the officers, myself being appointed major, and Lieutenant Gillespie captain. From that time we were part of the naval forces for the conquest of the country."

Again Colonel Fremont says:

"On the 13th of August, 1846, Commodore Stockton, as CONQUEROR, took possession of the City of the Angels, the seat of the governors-general of California. On the 17th he issued a proclamation, or decree as such, for the notification and government of the inhabitants, followed by many others in the same character, and for the better government of the conquered country."

This is the language of Colonel Fremont when his safety depended on making the truth manifest. Under the peril of life he concedes to Commodore Stockton the title of *conqueror of California!*

The peril over, his father-in-law claims for him the merit of being the conqueror, and his biographers assert it, also. I might be well content to rest the case upon the above explicit admission of Col. Fremont himself; but as it belongs to a full statement of the truth, I shall briefly relate what part he did take in the conquest of California subsequently to Commodore Stockton's assuming the supreme command. Mr. Fremont, having received an appointment as major of a battalion of volunteers from Commodore Stockton, was ordered, on the 23d day of July, with 160 men, to embark on the sloop-of-war Cyane, Commander Dupont, with directions to proceed to San Diego, and thence to advance on the City of the Angels, to co-operate with him (the Commodore) in the proposed attack on the Californians.

Mr. Benton, in his letter to the President of the 9th November, 1846, says "the sloop-of-war Cyane *was put at his service*"—no doubt

to produce the impression on the mind of the President that Fremont was acting *independently*. But Fremont himself, in his letter to Mr. Benton of 25th July, 1846, says expressly: "We are under *orders* to embark to-morrow morning on board the *Cyane* sloop-of-war, and disembark at San Diego, immediately in the rear of Castro."

Stockton proceeded to San Pedro, twenty-eight miles from the City of the Angels. There he waited a week for Fremont to co-operate with him. Finally, he marched against Castro without him, forced him to break up his camp, abandon his artillery and baggage, and fly in the direction of Sonora. After the dispersion and flight of his army, Fremont arrived, on the day that Stockton took possession of the capital. Thus ended the first campaign of Stockton. Fremont's whole service was comprised in his voyage to San Diego and his march to De Los Angeles. The second campaign of Commodore Stockton was still more inglorious for Mr. Fremont. An insurrection broke out on the 1st of October, and the garrison left by the Commodore at the capital had been compelled to capitulate. Stockton ordered Fremont to Santa Barbara again, to collect horses and cattle for this expedition. San Diego was surrounded by the enemy, and Lieutenant Minor, in command there, was besieged by them. On his way in that direction Fremont spoke a vessel, and became acquainted with these facts, and, instead of obeying his orders, he turned back, giving as his reason that supplies of horses and cattle could not be obtained there, and returned 500 miles north of San Diego, placing the enemy between himself and his commander-in-chief, and cutting off all communication with him. This act of Fremont delayed the Commodore's advance for months. Stockton, however, finally procured horses and cattle where *Fremont* said they could not be obtained. Fremont abandoned the seat of war. He left that part of the country where hostilities prevailed, and never returned until after the enemy was defeated and dispersed. Commodore Stockton, after waiting two months for the necessary supplies of horses and cattle, which were at last obtained from Lower California, on the 29th of December, advanced north upon De Los Angeles against the foe, fought the battles of San Gabriel and Mesa, defeated and dispersed the army of California, and conquered the country a second time. He heard nothing of Fremont until four days after his (Stockton's) entry into the capital. Then Fremont made his appearance; and having on his journey fallen in with the beaten and flying California generals and a few stragglers, remnants of the defeated forces, he made a treaty of capitulation with them. Stockton had refused to treat with Generals Flores and Pico, because they had once already broken their parole of honor. Fremont, however, having not participated in the war, makes a great merit of this capitulation with these defeated officers with whom Stockton would not treat, and whom he considered as of no importance. All these facts will be seen from the official despatches of Commodore Stockton. They show that Fremont, in the first campaign, did nothing, while under Stockton, but go to San Diego, and ride up from that place in August to meet Stockton after he had compelled Castro to break up his camp and disperse his army. In the second campaign, Fremont failed to execute his orders, and retired five hun-

dred miles from the enemy, and never returned until after the fighting was over. There is nothing from his own pen, or that of others, nor is there any evidence of any sort that Fremont ever had a single encounter with an enemy while in California. He has been called the path-finder. But it was unfortunate for him that the paths he trod did not lead him into the presence of an enemy.

Mr. President, in the foregoing remarks, and the exposure I have made of the weakness and absurdity of the claim set up for Mr. Fremont to the conquest of California, I have been actuated by far higher motives than such as I know will be imputed to me. I regard it, sir, as a duty I owe to the truth of history, as well as to a distinguished friend and constituent, to see that the laurels which he has nobly won shall not be torn from *his* brow to decorate another's. For Commodore Stockton I claim the credit of the conquest of California. So far from Mr. Fremont being entitled to it, it does not appear that he was ever engaged in a single battle; and the extent of the responsibility he assumed in California seems to have been, 1st, to fortify a position of self-defence against a threatened attack of the Californians; and 2d, to unite with the forces of General Ide, on the 25th of June, at Sonoma, and to undertake an expedition against General Castro, in which he was out-witted by the wily Mexicans. Immediately after this, he marched to Monterey and accepted an appointment as major from Commodore Stockton, under whose orders he served, as has been shown, until the conclusion of the war.

And now, sir, I have attempted to describe fairly and truly the achievements of Mr. Fremont in California; and I ask if any claim can be *found* in them to the title of its conqueror.

And now, Mr. President, it is hardly necessary, after this exposure of the pretensions set up for Mr. Fremont, to say *who was* the conqueror. That has been already indicated. But I will take the liberty to state, as briefly as possible, a few additional facts to establish still more incontestably the claims of Commodore Stockton to that great honor. Stockton assumed the command of the United States naval forces on the 23d day of July, 1846. The condition of the country at that time has already been shown. On the same day he issued a proclamation placing the country under martial law, and resolved upon the most prompt and vigorous prosecution of the war. He immediately organized a corps of 160 mounted men, composed chiefly of American settlers, appointed Mr. Fremont major of the battalion, and Lieutenant Gillespie, of the marine corps, captain; retaining the chief direction of affairs in his own hands. In twenty-four hours thereafter he despatched this corps, under Major Fremont on the sloop-of-war Cyane, Captain Dupont, to San Diego, to procure horses and cattle, and to co-operate with him in the contemplated attack of the City of the Angels. On the 1st of August he sailed himself in the frigate Congress for Monterey, and proceeded to San Pedro, (about 30 miles from the City of the Angels,) and landed 350 seamen and marines, and commenced the work of drilling them for the new service in which they were engaged. On the 11th of August he commenced his march upon that city. On the 12th, when within a few miles of the enemy, they became panic-stricken and fled, leaving

behind their baggage and artillery. The principal officers and a portion of the troops surrendered themselves prisoners of war, the city capitulated, and on the 13th Commodore Stockton took possession of the capital of California. The country was now conquered—the inhabitants quietly submitted—and Stockton immediately proceeded to organize a civil government. He prescribed a tariff of imposts, and appointed appraisers, collectors, and other officers for the collection of the revenues, and did every other lawful act which a conqueror and governor could do.

Having settled all these matters, and seeing the new government in full and successful operation, he left the city and proceeded to San Francisco, for the purpose of organizing an expedition, to be commanded by himself, to land at Acapulco, on the western coast of Mexico, with a view of co-operating with General Scott before the city of Mexico. But before he could accomplish the necessary arrangements for such a purpose, advantage was taken of his absence from the capital, and Generals Pico and Flores (who had been set at liberty, after the capture of the city, on their parole of honor) had raised a force of 400 or 500 men, and appearing before the city, demanded its surrender. The garrison, consisting of 100 men, under Captain Gillespie, unable to resist a force so superior in numbers, was obliged to submit, and the city fell into the hands of the insurgent Californians. This insurrection the Commodore determined to quell, and promptly made all his arrangements for that purpose. Major Fremont was despatched with 160 men to Santa Barbara, at which place, after procuring horses, he was to hold himself in readiness to join the Commodore on his march against the rebels. The Commodore himself sailed on the Congress, ran into Monterey, which had been threatened, strengthened that place with 50 men, and proceeded to San Pedro. At this place he found the enemy in considerable numbers, and learned also that an engagement had taken place between them and the crew of the frigate Savannah, which had resulted to the disadvantage of the Americans, and had greatly encouraged the Californians. He immediately landed from his ship with 300 men, in the face of the enemy, and after a skirmish, compelled them to retreat; but as they were all mounted, he could not pursue them. The anchorage at this place being insecure at that season of the year, the Congress sailed for San Diego, where Lieutenant Minor was besieged and reduced to great distress. The ship, in entering the harbor grounded on a bar, and came near falling over; and while the crew were engaged in shoreing her up to prevent such an occurrence, the town was vigorously attacked by the enemy. Notwithstanding this mishap to the frigate, the Commodore himself, with as many men as could be spared, immediately landed, and, after a severe action, repulsed them and relieved the garrison.

Preparations were then actively made for the march upon the capital. Horses and cattle were to be procured, and officers, with a detachment of men, were sent to Lower California to collect them. Whilst this portion of the little sailor army was thus employed, the men were kept constantly at work in manufacturing saddles for horses, shoes of canvass and leather for themselves, and gun carriages for artillery, and in their regular drill. At this place he was kept wait-



ing for the arrival of Major Fremont with his mounted men until the 29th of December; when, having received his supplies from Lower California, and having heard nothing of Fremont, he determined to wait no longer, and marched without him upon the City of the Angels. On the morning of the 8th of January, being in presence of the enemy, he marshalled his little army and advanced against the opposing force. He found them advantageously posted on the other side of the river San Gabriel, on a bluff or range of low hills. Their artillery commanded the passage, and it was strongly supported with cavalry. The Commodore, passing through the ranks of his men, reminded them that it was the 8th of January, and that he expected them to add new lustre to the day. Their enthusiasm was unbounded. Notwithstanding the fire from the enemy, no shot was returned until after they had reached the opposite bank. There was great difficulty in accomplishing this, for the bed of the river was a quicksand, and Gen. Kearney, who was serving with Commodore Stockton at the time as a volunteer, declared it would be impossible to pass over the guns. On hearing this, the Commodore dismounted from his horse, plunged into the river, and taking hold himself of the ropes, said, "quicksand or no quicksand, the guns shall pass over." Cheered by his heroic conduct and example, the men renewed their exertions, and soon landed the guns on the opposite side. The battle now commenced on the side of the Americans, and the enemy, after standing their ground bravely for some time against a terrible fire of artillery, began to give way, and a charge up the bluff compelled them to retreat in confusion. The loss of the Americans was only two killed and nine wounded. The loss of the enemy, as afterwards ascertained, was over seventy killed and one hundred and fifty wounded.

On the morning of the 9th he pursued the retreating foe in the direction of the City of the Angels. About six miles from the city he again encountered them in a well-chosen position, and another severe battle was fought, in which the Californians were again beaten, and fled in different directions. As the American commander had no cavalry, it was impossible to pursue them. The Commodore continued his march, and on the 11th, at the head of his army, he marched into the city and took possession of it.

These battles decided the fate of California. The scattered remnants of the Californian army under Flores and Pico, a few days after, hearing of the approach of Col. Fremont, threw themselves in his way, and concluded a formal treaty, by which they agreed to cease all hostilities, and to acknowledge the authority of the United States. This ended the war in California; and in the language of the Secretary of War, "Commodore Stockton took possession of the whole country, as a conquest of the United States, and appointed Col. Fremont governor, under the law of nations, to assume the functions of that office, when he should return to the squadron."

And now, Mr. President, having, as I believe, fairly and truly stated the respective claims of Col. Fremont and Commodore Stockton to the honor of the conquest of California, I ask, Was not Commodore Stockton the conqueror?

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